

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office AUG 5 1983

Returned to applicant for correction AUG 26 1983

Corrected application filed OCT 20 1983 Map filed OCT 20 1983 under 47127

The applicant Mt. Rose Service Company

P. O. Box 292 of Reno
Street and No. or P.O. Box No. City or Town

Nevada 89504 hereby make^s application for permission to change the
State and Zip Code No.

point of diversion and place of use of a portion
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Permit 35149
(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

Identify right in Decree.)

1. The source of water is underground
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 0.23027 cfs - 166.67 acre-feet
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for Quasi-municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Quasi-municipal
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point Southwest Quarter of the Southwest Quarter
Describe as being within a 40-acre subdivision of public survey and by course and distance to a section corner. If on unsurveyed land, it should be stated.

Section 18, Township 17 North, Range 19 East, MDM, or at a point from which the
Southwest corner of Section 19, Township 17 North, Range 19 East, MDM bears South
3° 45' West, a distance of 5,715 feet.

6. The existing permitted point of diversion is located within Northeast Quarter of the Southeast
If point of diversion is not changed, do not answer.

Quarter Section 2, Township 17 North, Range 19 East, MDM, or at a point from which
the East quarter corner of the said Section 2 bears North 41° 32' 18" East, a
distance of 922.0 feet.

7. Proposed place of use See attached Exhibit "A"
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

8. Existing place of use See attached Exhibit "B"
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from January 1 to December 31 of each year.
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) Drilled and cased well, install motor
State manner in which water is to be diverted, i.e. diversion structure, ditches,

and pump to distribution system.
pipes and flumes, or drilled well, etc.

12. Estimated cost of works At least \$10,000

13. Estimated time required to construct works 10 years

14. Estimated time required to complete the application of water to beneficial use..... 10 years

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

The total combined duty under this and other applications filed by the applicant shall not exceed 1,000 acre-feet per annum. Water under this application will be comingled with other applications held or controlled by the Galena Resort Company. Pursuant to written agreements and option between the applicant and the purchaser, Galena Resort Company, title to all water right applications will be clarified at a later date. The combined total duty under all applications will not exceed 3,300 acre-feet per year.

J. J. JOHNSON & ASSOCIATES

By s/Frederick C. Duberow
Park Meadows Plaza
Park City, Utah 84060

Compared js/vl js/bc

Protested Pro. 1/27/84 by TCID, Washoe Lake Reservoir and Galena Creek Ditch Company, M. Frank Evarts; Protests overruled 7/18/84-Ruling #2989

APPROVAL

OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit 35149 is issued subject to the terms and conditions imposed in said Permit 35149 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued subject to the terms and conditions set forth in the State Engineer's Ruling #2989 dated July 18, 1984.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.23027 cubic feet per second, but not to exceed the

duty set forth in the State Engineer's Ruling #2989 dated July 18, 1984.

Work must be prosecuted with reasonable diligence and be completed on or before August 1, 1987

Proof of completion of work shall be filed before September 1, 1987

Application of water to beneficial use shall be made on or before August 1, 1989

Proof of the application of water to beneficial use shall be filed on or before September 1, 1989

Map in support of proof of beneficial use shall be filed on or before September 1, 1989

Completion of work filed..... IN TESTIMONY WHEREOF, I PETER G. MORROS
State Engineer of Nevada, have hereunto set my hand and the seal of

Proof of beneficial use filed..... my office, this 1st day of August

Cultural map filed..... A.D. 1985

Certificate No. Issued

JAN 12 1996

CANCELLED 2407 (REV. 6-81) BECAUSE OF FAILURE OF APPLICANT TO COMPLY WITH THE PROVISIONS OF PERMIT

STATE ENGINEER

Galena Resort Co. portion only
Can. Rescinded 5-20-97
See Ruling No. 4526

port 63697 0.0438 +br
61267 0.1427
Porto 65958 0.0436

Exhibit "A"

Township 17 North, Range 18 East, Mount Diablo Base & Meridian

All of Sections 13, 14, 23, 24, 25 and 26

Township 17 North, Range 19 East, Mount Diablo Base & Meridian

All of Sections 7, 8, 17, 18, 19, and 20, North Half Section 29 and North Half Section 30.

Exhibit "B"

Township 18 North, Range 20 East, Mount Diablo Base & Meridian

All of Sections 20, 21, 29, 30, 31 and 32

Township 18 North, Range 19 East, Mount Diablo Base & Meridian

All of Sections 25 and 36.

South half Section 34

South Half, South Half Northeast Quarter, Northeast Quarter

Northeast Quarter, Southeast Quarter Northwest Quarter

Section 35

Township 17 North, Range 19 East, Mount Diablo Base & Meridian

All of Sections 1, 2, 3, 10, 11 and 12.

Southeast Quarter Northeast Quarter, East Half Southeast

Quarter, Southwest Quarter Southeast Quarter, Section 4

East Half, East Half Northwest Quarter, Section 9